



DEPARTMENT OF THE ARMY
Headquarters, Engineer Brigade, 1st Armored Division
Unit 24141
APO AE 09169



COMMAND POLICY

POLICY NUMBER: 6-14	Proponent: AETV-THQ-A	Date: 1 November 2005
SUBJECT: Command Policy Memorandum, Engineer Brigade Drug and Alcohol Policy		
REFERENCE: a. Army Regulation 635-200, Enlisted Personnel, 1 November 2000. b. 1AD Regulation 27-10, Legal Services, Administration of Military Justice, 1 July 2000		
PURPOSE: To ensure all leaders and Soldiers understand the brigade Drug and Alcohol Policy.		
<p>1. IAW 1AD Regulation 27-10, a General Officer Memorandum of Reprimand will be initiated under the following conditions for all soldiers:</p> <ul style="list-style-type: none">a. Drove or physically controlled a motor vehicle while having an alcohol concentration of 0.10 grams or more of alcohol per 100 milliliters of blood or 0.10 grams or more of alcohol per 210 liters of breath; orb. Refused to take or failed to complete a lawfully requested test to measure alcohol content of the blood, breath, or urine, either on or off the installation, when there was reasonable belief of driving under the influence of alcohol; orc. Was convicted by a military or civilian court, or received nonjudicial punishment for drunk driving or driving while impaired by a substance described in Article 112a, UCMJ. Unit commanders will enforce this requirement. <p>2. Unit commanders will respect the following reservations of UCMJ authority as identified in 1AD Regulation 27-10:</p> <ul style="list-style-type: none">a. The Commanding General 1AD withholds jurisdiction over officer misconduct.b. The Commanding General 1AD withholds jurisdiction over all First Sergeants, Sergeants Major and Command Sergeants Majors.c. The Special Court-Martial Convening Authority or higher withholds jurisdiction over Noncommissioned Officers in the ranks of Master Sergeant and Sergeant First Class.d. The Summary Court-Martial Convening Authority withholds jurisdiction over all allegations of illegal drug use, possession, distribution or other violations of Article 112a, UCMJ for soldiers in the rank of Private to Staff Sergeant.		



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- e. The Summary Court-Martial Convening Authority or higher withholds jurisdiction over all allegations of driving while intoxicated, reckless driving, or speeding in a Government vehicle or NAJI owned vehicle, UCMJ for soldiers in the rank of Private to Staff Sergeant.
3. Soldiers who commit alcohol and drug related offenses may be punished by court-martial, nonjudicial punishment, or administrative action. Each case will be evaluated based on the unique facts. The following guidelines apply:
 - a. IAW 635-200, initiation of separation action is not required for those instances where charges have been referred to a court-martial empowered to adjudge a punitive discharge.
 - b. IAW AR 635-200, soldiers, regardless of rank or time in service, with two drug offenses will be processed for separation.
 - c. IAW AR 635-200, soldiers in the rank of E-5 or who have more than three years of active service and who have one drug offense will be processed for separation.
 - d. IAW AR 635-200, soldiers in the ranks of E-1 to E-4 or who have less than three years of service may be processed for separation as appropriate.
 4. POC is the Brigade Adjutant, (DSN) 343-9463.

IRON SAPPERS!

//ORIGINAL SIGNED//
JAMES D. SHUMWAY
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